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| 09/804,424 | 03/12/2001 | Cary Lee Bates | ROC9 2000 0250 | 1815 |

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| EXAMINER |
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TRUONG, THANHNGA B

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| ART UNIT | PAPER NUMBER |
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2135

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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|------------------------------|---------------------------------------|-------------------------------------|--|
| Office Action Summary | Application No. 09/804,424 | Applicant(s) BATES ET AL. | |
| | Examiner Thanhnga B. Truong | Art Unit 2135 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11/30/2004 (Amendment).
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-9 and 11-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-9 and 11-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment filed on November 30, 2004 has been entered. Claims 1-2, 4-9, 11-16 are pending. Claims 3 and 10 are cancelled by the applicant and claims 1, 2, 11, and 14 are also amended by the applicant.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 4-7, 11, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangedahl et al, further in view of Mansell et al (US 5,223,844), and further in view of Duda et al (US 6,275,877 B1).

a. Referring to claim 1:

i. Rangedahl teaches:

(1) a user interface to interact with a user; location detection electronics within the electronic processing device (or monitor device); processing electronics within the electronic processing device connected to the user interface and the location detection electronics; memory to store a plurality of functions/applications, and at least one geographic location in which at least one function/application is enabled, and an enablement bit (or enable signal) to enable the function/application in the geographic location, the memory within the electronic processing device and connected to the processing electronics; and a verifier (or authorization device) to periodically determine that the electronic processing device is still within the geographic region while the function/application is enabled, and if not, to disable the function/application [i.e., referring to **Figure 1, an automated system for determining the geographical location of an electronic device, verifying whether it is authorized to operate in its present geographical location and enabling its operation if the device resides in an authorized location.** The system includes the

electronic device whose location is to be monitored (the monitored device), and an authorization device for determining the allowability of operation in a given location and then authorizing or denying operation. A communication link, preferably using the Public Switched Telephone Network (PSTN), is provided for communication between the monitored device and the authorization device. In addition to performing its intended operation, the monitored device also contains functionality for enabling and disabling normal operation of the device, functionality for requesting authorization to enable normal operation, and functionality for communication with the authorization device. Within the authorization device is functionality for determining if operation at a given location is allowed, functionality for generating an authorization key, and functionality for communication with the monitored device. The authorization device also has access to a database containing information for determining the allowability of operation at a given location (column 2, lines 4-27). Furthermore, For normal operation to occur, the normal device operation 40 must receive an enable signal 50 from an Enable Function 60. Without transmission of the enable signal 50, normal operation remains disabled. The Enable Function 60 is responsible for determining when to request authorization and makes the request by sending an authorization request signal 70 (column 3, lines 44-50)].

ii. Although Rangedahl clearly disclose the use of the enable signal stored within the monitored device, Rangedahl does not clearly and explicitly disclose the memory for storing the enable signal in the monitored device, Mansell teaches:

(1) Referring to Figure 2B, a volatile or non-volatile storage device, such as memory 210, is illustrated so as to emphasize the ability of the Mobile Unit controller to store information it has received from any of its inputs, for later transmission to the Control Center. A log of events may be stored in memory 210, along with timing information received through GPS receiver 314 (column 14, lines 12-18 of Mansell). In addition, Duda teaches a memory access controller, whereby the memory included the enable bit (column 11, lines 53-57 of Duda).

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) combine the teaching of Mansell/Duda into Rangedahl's system for monitoring the status of vehicles, detecting certain alarm conditions, monitoring the location of vehicles, and providing a variety of communication and control functions relating to the vehicles (**column 1, lines 6-12 of Mansell**).

iv. The ordinary skilled person would have been motivated to:

(1) combine the teaching of Mansell/Duda into Rangedahl's system for to provide a cost-effective automatic vehicle theft detection device which immediately alerts the police to the theft, allowing them to track the vehicle over a wide geographic area (**column 1, lines 48-52 of Mansell**).

b. Referring to claim 2:

i. Rangedahl teaches:

(1) invoking a user interface of the electronic processing device; obtaining the GPS location from GPS processing electronics within the electronic processing device of a first geographic location and creating boundaries by extending a selected distance from the GPS location to derive a first geographic region; associating at least one application/function of the electronic processing device with the first geographic region; enabling a user to access the at least one application/function of the electronic device only when the electronic device is in the first geographic region based solely on whether the electronic processing device is within the geographic region associated with the at least one application/function by determining the present location of the electronic device using GPS signals processed by GPS processing electronics within the electronic device, and enabling the electronic device based on an enablement bit (or enable signal) within the electronic device [**i.e., a first embodiment of the automated authorization system uses a Global Positioning System (GPS) to determine the location of the monitored device with the GPS receiver residing in the monitored device. A second embodiment uses the telephone number used by the monitored device when requesting authorization to determine location. Contained within the authorization device is functionality for retrieving the**

telephone number from the PSTN used for communications between the monitored device and the authorization device. This ability to determine a telephone number via the PSTN is commonly referred to as Caller ID. The sequence for authorizing operation of the monitored device begins with the monitored device determining that power up has occurred. If the monitored device has not been in authorized operation within some past predetermined time period, it will request authorization from the authorization device via a communications link. In implementations where GPS is used, longitude and latitude coordinates for the present location will also be provided to the authorization device. Upon receiving a request for authorization, the authorization device makes a determination as to whether GPS information or the telephone number of the monitored device is to be used to verify location of the monitored device. If the telephone number is to be used, the authorization device obtains the telephone number from the Public Switched Telephone Network. The authorization device now obtains information from a database regarding the allowability of operation at the given location and generates an authorization key if operation is allowed. Finally, the authorization device transmits either the authorization key or a denial message to the monitored device and the communication link is terminated. Upon receiving a response to its request for authorization, the monitored device either uses the authorization key to permit normal operation or remains disabled (column 2, lines 28-62). Furthermore, for normal operation to occur, the normal device operation 40 must receive an enable signal 50 from an Enable Function 60. Without transmission of the enable signal 50, normal operation remains disabled. The Enable Function 60 is responsible for determining when to request authorization and makes the request by sending an authorization request signal 70 (column 3, lines 44-50)].

(2) periodically confirming that the electronic device is still within the first geographic region while the application/function is enabled; disabling the at least one application/function when the electronic device is moved out of the first geographic region while the application/function is enable [i.e., In addition to

performing its intended operation, the monitored device also contains functionality for enabling and disabling normal operation of the device, functionality for requesting authorization to enable normal operation, and functionality for communication with the authorization device. Within the authorization device is functionality for determining if operation at a given location is allowed, functionality for generating an authorization key, and functionality for communication with the monitored device (column 2, lines 15-24)].

ii. Although Rangedahl clearly disclose the use of the enable signal stored within the monitored device, Rangedahl does not clearly and explicitly disclose the memory for storing the enable signal in the monitored device, Mansell teaches:

(1) Referring to Figure 2B, a volatile or non-volatile storage device, such as memory 210, is illustrated so as to emphasize the ability of the Mobile Unit controller to store information it has received from any of its inputs, for later transmission to the Control Center. A log of events may be stored in memory 210, along with timing information received through GPS receiver 314 (column 14, lines 12-18 of Mansell). In addition, Duda teaches a memory access controller, whereby the memory included the enable bit (column 11, lines 53-57 of Duda)..

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) combine the teaching of Mansell/Duda into Rangedahl's system for monitoring the status of vehicles, detecting certain alarm conditions, monitoring the location of vehicles, and providing a variety of communication and control functions relating to the vehicles (column 1, lines 6-12 of Mansell).

iv. The ordinary skilled person would have been motivated to:

(1) combine the teaching of Mansell/Duda into Rangedahl's system for to provide a cost-effective automatic vehicle theft detection device which immediately alerts the police to the theft, allowing them to track the vehicle over a wide geographic area (column 1, lines 48-52 of Mansell).

c. Referring to claims 4-5, 7:

i. These claims have limitations that is similar to those of claim 2, thus they are rejected with the same rationale applied against claim 2 above.

d. Referring to claim 6:

i. Rangedahl teaches:

(1) wherein the step of entering a description of a first geographic region further comprises entering a street address associated with a geographic region **[i.e., there is an additional method for obtaining the location of the monitored device which is not as precise as the GPS but provides greater accuracy than the telephone number prefix. The telephone company possesses the capability to provide the street address of a calling party which in this application, would be the monitored device (column 4, lines 43-52)].**

e. Referring to claim 9:

i. Rangedahl teaches:

(1) assigning a priority to the first and second application/function **[i.e., although a PCS application is described in this disclosure, it is understood that the type of operability is immaterial to the invention and therefore, could extend to any electronic device or software running on an electronic device (column 3, lines 33-37)].**

f. Referring to claims 11, 14:

i. These claims have limitations that is similar to those of claim 1, thus they are rejected with the same rationale applied against claim 1 above.

g. Referring to claims 15-16:

i. These claims have limitations that is similar to those of claims 1-2, thus they are rejected with the same rationale applied against claims 1-2 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2135

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangedahl et al, further in view of Mansell et al (US 5,223,844), further in view of Duda et al (US 6,275,877 B1), and further in view of Grube et al (US 5,778,304).

a. Referring to claim 8:

i. Rangedahl/Mansell/Duda teach the claimed subject matter regarding geographic locations, but does not explicitly show:

(1) assigning a priority to the first and second geographic region.

ii. Grube teaches:

(1) Having the communication unit's location, the communication resource controller determines whether the unit is located within a predetermined geographic region (202), i.e., the communication resource controller accesses its database and compares the unit's location with coordinates that define the predetermined geographic region. The predetermined geographic region may be established based on user requirements and/or priority, for example, a hospital area, a construction site, a particular part of the city, or a library. If the communication unit is not within the predetermined geographic region (203), the process ends (204), i.e., there will be no restrictions on the communication unit's ability to access the communication services (column 3, lines 17-30).

iii. It would have been obvious to a person having ordinary skill in the art at the time the invention was made to:

(1) point out precisely (in Rangedahl/Mansell/Duda) the predetermine geographic locations within the electronic device.

iv. The ordinary skilled person would have been motivated to:

(1) point out precisely (in Rangedahl/Mansell/Duda) the predetermine geographic locations within the electronic device because upon receipt of the predefined message, the communication unit determines whether the predefined message requires an action (206). If an action is not required (207), the process is complete (208). If however, an action is required, the action is performed (209), where the action may be setting the volume level as directed, disabling the communication unit, or disabling the services not allowed in this particular area. At the option of the communication unit operator, or the system manager, the action may be done automatically, or manually (**column 3, lines 43-52 of Grube**).

b. Referring to claims 12-13:

i. These claims have limitations that is similar to those of claims 1-5, 8 thus they are rejected with the same rationale applied against claims 1-5, 8 above.

Response to Argument

6. Applicant's arguments filed November 30, 2004 have been fully considered and addressed in the above rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanhnga (Tanya) Truong whose telephone number is 571-272-3858.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Vu can be reached on 571-272-3859. The fax and phone numbers for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.

Handwritten signature
AU 2135

TBT

May 11, 2005